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12/21/01  
JC961 U.S. PTO

J1046 U.S. PTO  
10/034621  
12/21/01

December 21, 2001

**Attorney Docket No.:**

Parent Serial No. 09/656,309

Parent Filing Date: September 6, 2000

**Box PATENT APPLICATION**

Commissioner for Patents

Washington, D.C. 20231

Presented for filing is a new divisional patent application of:

Applicant: WALTER CALLEN, ERIC J. MATHUR and JAY M. SHORT

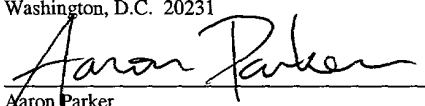
Title: ENZYMES HAVING HIGH TEMPERATURE POLYMERASE ACTIVITY AND METHODS OF USE THEREOF

Enclosed are the following papers, including all those required to receive a filing date under 37 CFR § 1.53(b):

	<u>Pages</u>
Specification	70
Claim(s)	4
Abstract	1
Drawing(s)	9

Enclosures:

Application Data Sheet  
Permission to use Sequence Listing  
Postcard

"EXPRESS MAIL" Mailing Label Number ET655519750US  
Date of Deposit **December 21, 2001**  
I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231  
  
Aaron Parker

10034621-122404

Docket No.  
Box Patent Application  
December 21, 2001  
Page Two

This application is a divisional and claims the benefit of priority under 35 USC § 120 to U. S. Patent Application Serial Number 09/656,309, filed September 6, 2000, which is a Continuation-in-Part application of co-pending U. S. Patent Application Serial Number 09/391,340, filed September 7, 1999, which is a divisional of U. S. Patent Application Serial No. 08/907,166, filed August 6, 1997, now issued as U. S. Patent No. 5,948,666, the contents of which are incorporated by reference in their entirety herein.

Applicants claim small entity status in the above-identified application. Pursuant to 37 C.F.R. §1.27 a Verified Statement is not required.

Basic filing fee	\$	0.00
Total claims in excess of 20 (0 times \$18.00)	\$	0.00
Independent claims in excess of 3 (0 times \$80.00)	\$	0.00
Multiple dependent claims	\$	0.00
Total filing fee:	\$	0.00

Please charge Deposit Account No. 50-0661 for the filing fees due.

If this application is found to be INCOMPLETE, or if a telephone conference would otherwise be helpful, please contact the attorney of record, Lisa A. Haile, Ph.D., at (858) 677-1456.

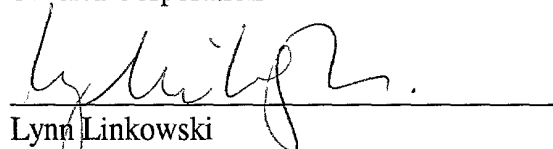
Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to:

Lisa A. Haile, Ph.D.  
Gray Cary Ware & Freidenrich LLP  
4365 Executive Drive, Suite 1100  
San Diego, CA 92121-2133  
Telephone: 858-677-1456  
Facsimile: 858-677-1465

Very truly yours,

Diversa Corporation

  
\_\_\_\_\_  
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PATENT  
ATTORNEY DOCKET NO.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Callen, Mathur and Short                      Art Unit:  
Parent Serial No.: 09/656,309                              Examiner:  
Parent Filing Date: September 6, 2000  
Serial No.:  
Filed:  
Title: ENZYMES HAVING HIGH TEMPERATURE POLYMERASE  
ACTIVITY AND METHODS OF USE THEREOF

Commissioner for Patents  
Washington, D.C. 20231

**PERMISSION TO USE SEQUENCE LISTING**

Sir:

The above-identified patent application lacks a substitute paper copy of the Sequence Listing for inclusion into the Specification, as well as a computer readable form of the Sequence Listing. Applicants respectfully direct the attention of the Office to the following:

1. A complete paper copy of the Sequence Listing is included in the Specification and is identical to the computer readable copy of the Sequence Listing filed in U.S. Patent Application No. 09/656,309 (the "309 application"), filed September 6, 2000.
2. A computer-readable form in this application is identical with that filed in the "309 application", filed September 6, 2000. Pursuant to 37 CFR §1.821(e), please use the last-filed computer readable form filed in the "309 application" as the computer readable form for this application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for this application.

09/656,309

In re Application of:  
Callen, Mathur and Short  
Application No.: 09/656,309  
Filed: September 6, 2000  
Page 2

PATENT

I hereby state, as required by 37 C.F.R. § 1.821 (g), that the enclosed submission includes no new matter. Applicants submit that the foregoing satisfies the requirements of Rule §1.821. If there are any questions regarding this response, the Office is invited to contact the attorney of record, Lisa A. Haile, Ph.D., at the address or telephone number listed below.

It is understood that this perfects the application and no additional papers or filing fees are required. If there are any other charges, or any credits, please apply them to Deposit Account 50-1355.

Respectfully submitted,

Dated: 12/21/01

  
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**Customer Number: 28213**